

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**JEFFREY CABE, SEAN FREY, ANITA  
POTEETE, RONDA ROHDE, ROBERT  
SNELL, JEFFREY MOORE and ELISA  
TINNELL, MICHAEL KAP, KAREN  
ROBERTSON, JIM WESTRA, JOHNNY  
RUIZ, ARCHIE ROBINSON, DECODA  
KEYS and NORMA MOODY, Each  
Individually and on Behalf of All Others  
Similarly Situated,**

Plaintiffs,

v.

**EVERGREEN PACKAGING LLC and  
PACTIV EVERGREEN INC.,**

Defendants.

Case No. 1:24-CV-01316

Hon. John Robert Blakey

Hon. Jeffrey T. Gilbert

**DEFENDANTS' MOTION FOR LEAVE TO FILE ITS  
OPPOSITION TO CONDITIONAL CERTIFICATION IN EXCESS OF 15 PAGES**

Defendants, Evergreen Packaging LLC and Pactiv Evergreen Inc. ("Defendants"), by and through its attorneys, Littler Mendelson, P.C., hereby moves this Court for leave to file its Opposition to Plaintiffs' Motion for Conditional Certification in excess of 15 pages. In support of its request, Defendants state as follows:

1. Defendants' Opposition is currently due to be filed on July 1, 2024. [Dkt. 22].
2. This Court's Standing Order on Motion Practice and Memoranda of Law sets a 15-page limit on briefs.
3. This action includes fourteen Plaintiffs, who have filed a Complaint alleging violations of the Fair Labor Standards Act and have moved to conditionally certify a nationwide collective of tens of thousands of employees.

4. Given the number of Plaintiffs, putative collective members, number of facilities to be addressed by Defendants in their Opposition, and the substantive arguments Defendants intend to make in opposition to Plaintiffs' Motion for Conditional Certification, Defendants require additional pages beyond the Court's standing 15-page limit to fully set forth its defenses to these claims.

5. Accordingly, Defendants respectfully seeks the Court's approval to file a Memorandum that is 23 pages in length.

6. Defendants submits this request in good faith and not for purposes of unnecessary or extraneous discussion of the relevant issues.

7. As required by Local Rule 7.1, the 23-page Memorandum will be filed with a table of contents and table of authorities.

8. Defense counsel conferred with Plaintiffs' counsel, who stated that Plaintiffs do not object to Defendants' request to file an Opposition that exceeds the 15-page limit.

For the reasons stated above, Defendants respectfully requests this Court grant its Motion for Leave to File its Opposition to Plaintiffs' Motion for Conditional Certification in Excess of 15 pages.

*[signature page to follow]*

Dated: June 28, 2024

Respectfully submitted,

EVERGREEN PACKAGING LLC and  
PACTIV EVERGREEN INC.

/s/ John A. Ybarra

One of Their Attorneys

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**CERTIFICATE OF SERVICE**

The undersigned, an attorney, hereby certifies that on June 28, 2024, he caused a copy of **Defendants' Motion For Leave To File Its Opposition to Plaintiffs' Motion for Conditional Certification in Excess of 15 Pages** to be electronically filed with the Clerk of the Court using the CM/ECF system, which sent notification of such filing to the following counsel of record for Plaintiffs:

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/s/ John A. Ybarra

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